

EXHIBIT A

FILED: ROCKLAND COUNTY CLERK 03/11/2021 06:03 AM

NYSCEF DOC. NO. 1

INDEX NO. 031249/2021

RECEIVED NYSCEF: 03/11/2021

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

-----X
ABRAHAM POLATSEK, on behalf of his minor child,
Y. P.,

Index No.:

SUMMONS

Plaintiff,

Date Index No. Purchased:

vs.

NATIONAL RECOVERY AGENCY

Defendants.

-----X
To the above-named Defendant:

National Recover Agency
2491 Paxton Street, Harrisburg, PA 17111

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with the summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this Summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of venue is the Plaintiff's residence in Rockland County, Plaintiff's address which is Spring Valley, NY.

Dated this 8th day of March, 2021.

/s/ Daniel Zemel

Daniel Zemel, Esq.

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Attorneys for Plaintiff

Notice: The nature of this action is violation of the Fair Debt Collections Practices.

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

Index No.:

-----X
ABRAHAM POLATSEK, on behalf of his minor child,
Y. P.,

COMPLAINT

Plaintiff,

vs.

Date Index No. Purchased:

NATIONAL RECOVERY AGENCY,

Defendant.
-----X

Plaintiff, ABRAHAM POLATSEK, on behalf of his minor child, Y. P., (hereinafter
"Plaintiff") alleges:

PRELIMINARY STATEMENT

1. This is an action for damages arising from violations of the Fair Debt Collections Practices Act, 15 U.S.C. §1692 *et seq.* (hereinafter "FDCPA").

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action pursuant to NY CPLR §301.

3. Venue is proper in the Supreme Court of the State of New York, Rockland County pursuant to NY CPLR §503(c) because Plaintiff resides in this county and the cause of action arose in this county.

PARTIES

4. Plaintiff is a natural person, a minor, who at all relevant times has resided in Spring Valley, New York.

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5. Abraham Polatsek is the father and guardian of Y.P.
6. Defendant, National Recovery Agency ("NRA") is a business entity that regularly conducts business in New York with its principal place of business 2491 Paxton Street, Harrisburg, PA 17111. NRA is debt collector as defined by the FDCPA.

FACTUAL STATEMENT

7. NRA is attempting to collect an alleged debt from Plaintiff.
8. The alleged debt in question arose from medical expenses.
9. To this end, NRA sent Plaintiff a letter on May 8, 2020.
10. The letter was specifically addressed to Y.P.
11. At all relevant times, Y.P. was a minor and was not obligated to make payment on the alleged debt.
12. Within NRA's collection letter, NRA made it clear to Y.P. that he was in fact obligated to make payment on the debt.
13. NRA's collection communications were false and deceptive and violate the FDCPA.

COUNT I **VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**

14. Plaintiff repeats the allegations contained in the above paragraphs and incorporates them as if specifically set forth at length herein.
15. In attempt to collect a personal debt, NRA made false and deceptive representations to Plaintiff concerning his obligation to make payment in violation of 15 U.S.C. §§ 1692e, 1692e(2), and 1692e(10).

WHEREFORE, PLAINTIFF PRAYS that this court grant Plaintiff a judgment against NRA for statutory and actual damages, along with costs, interest, and attorney's fees.

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JURY TRIAL DEMAND

16. Plaintiff demands a jury trial on all issues so triable.

Dated: March 8, 2021

Respectfully Submitted.

/s/ Daniel Zemel

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